

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE TOWN OF SUPERIOR

THIS AGREEMENT is entered into 22 SEPTEMBER, 1997,
pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended,
between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF
TRANSPORTATION (the "State") and the TOWN OF SUPERIOR, acting by and through
its MAYOR and TOWN COUNCIL (the "Town").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-108 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The Town is empowered by Arizona Revised Statutes Section 41-1513 and 28-1895 et seq to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Town.

3. The Town has requested Economic Strength Project (ESP) funds in the amount of \$122,102.00; the Arizona Department of Commerce and the Economic Development Commission have recommended the approval of such funds for the Town, and the Transportation Board has approved the funding, for the construction of improvements to Industrial St. to provide improved access, and aid in the retention and development of local business, hereinafter referred to as the Project.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

=====

NO. 21909
Filed with the Secretary of State
Date Filed: 09/22/97
Betty Bayless
Secretary of State
By: Vicky Greenwald

II. SCOPE

1. The Town will:

a. Insure the additional commitment of 10% of the total estimated Project cost, or \$13,567.00, whichever is more, from the Town or other sources (not including ESP funds) to the Project. Accomplish construction of the Project by public bidding, in strict compliance with State procurement laws, rules and regulations. Upon completion, approve and accept the Project on behalf of the Town and provide maintenance.

b. No more often than monthly, invoice the State for ESP funds (Arizona Department of Commerce, ATTN: Strategic Finance Division, ESP Program Director, 3800 N. Central Avenue, Suite 1500, Phoenix, AZ 85012), in an amount not to exceed \$122,102.00.

c. Provide the State a copy of the executed Project contract(s), and draw down and expend the State ESP funds no later than six (6) months after the effective date of this agreement. Provide the State detailed written reports of all ESP fund expenditures, supported by invoices, receipts or other suitable and appropriate documentation, and a final accounting report no later than thirty (30) days after ESP funds are fully expended.

d. Reimburse the State any funds received from the State under this agreement which are not specifically and directly expended in compliance with the ESP grant application, which is attached hereto and made a part hereof, and are subsequently disallowed by the State.

e. Provide the State (Arizona Department of Commerce, ATTN: Strategic Finance Division, ESP Program Director, 3800 N. Central Avenue, Suite 1500, Phoenix, AZ 85012) with quarterly Project status reports, and one year after completion of the Project, a written Economic Impact Report detailing the direct and indirect impact of the Project, to include jobs created, jobs retained and related data.

2. The State will:

Within thirty (30) days after receipt and approval of the ESP contract(s) and subsequent monthly progress payment invoices, reimburse the Town for work completed on the Project funds in an amount not to exceed \$122,102.00.

III. MISCELLANEOUS PROVISIONS

1. The only interest of the Department of Transportation in the Project is to convey economic strength pass through funds for the use and benefit of the Town by reason of state law under which funds for the Project are authorized to be expended.

2. The Town agrees to indemnify and save harmless the State, or any of its departments, agencies, officers or employees, from and against all loss, expense, damage or claim of any nature whatsoever which is caused by any activity, condition or event arising out of the performance or non-performance by the State of any of the provisions of this agreement.

3. The total amount of ESP funds expended under this agreement shall not exceed 90% of the total Project cost. Should the Project not be completed, be partially completed, or be completed at a lower cost than the advanced amount, or for any other reason should any of these ESP funds not be expended, a proportionate amount of the funds provided under this agreement shall be reimbursed to the State.

4. This agreement shall remain in force and effect until completion of said Project, reimbursement and subsequent reports; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the award of a construction contract, upon thirty (30) days written notice to the other party. Further, this agreement may be terminated and the ESP grant cancelled by the State if the Town, in the opinion of and by action of the Transportation Board, fails to pursue due diligence on the Project or in the performance of any of the terms of this agreement.

5. This agreement shall become effective upon filing with the Secretary of State.

6. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511 as regards conflicts of interest on behalf of State employees.

7. The provisions of Arizona Revised Statutes Section 35-214 pertaining to 5 year records retention by the Town and audit by the State are applicable to this contract.

8. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth in Arizona Revised Statutes Section 12-1518.

9. All notices or demands upon any party to this agreement, except as otherwise specified herein, shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

Town of Superior
Town Manager
734 Main Street
Superior, AZ 85273

10. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

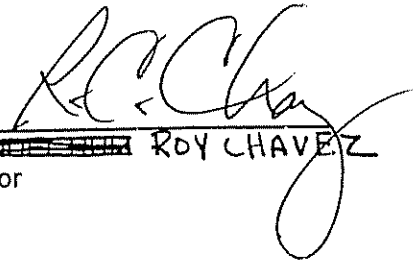
IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

TOWN OF SUPERIOR

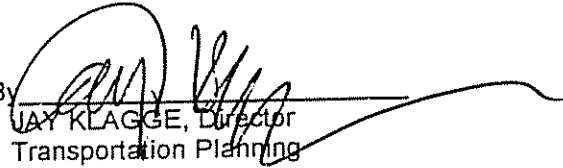
STATE OF ARIZONA

Department of Transportation

By

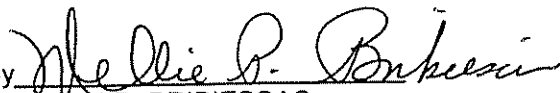

~~XXXXXXXXXX~~ ROY CHAVEZ
Mayor

By


JAY KLAGGE, Director
Transportation Planning

ATTEST:

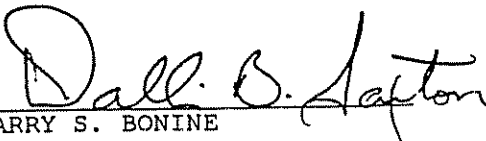
By


MELLIE P. BRIBIESCAS
Town Clerk

RESOLUTION

BE IT RESOLVED on this 30th day of May 1997, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the Town of Superior for the purpose of defining responsibilities for conveying Economic Strength Development funds to the City.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Director of Transportation Planning for approval and execution.


for LARRY S. BONINE
Director

AGENDA

TOWN OF SUPERIOR
TOWN COUNCIL MEETING
AUGUST 7, 1997
7:00 P.M.

Post-it* Fax Note		7671	Date 9/2	# of pages 3
To Jack Hammer	From Chris Zapata			
Co/Dept.	Co.			
Phone #	Phone # 689-5752			
Fax #	Fax #			

A: CALL TO ORDER
B: SALUTE TO THE FLAG
C: OPENING PRAYER
D: ROLL CALL
E: CONSENT AGENDA:

Bills:
Minutes: 511597
Reports:

F: COMMUNICATIONS:
G: CALL TO THE PUBLIC: COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT INCLUDED ON THE AGENDA. THOSE WISHING TO ADDRESS THE COUNCIL NEED NOT REQUEST PERMISSION IN ADVANCE. ACTION TAKEN AS A RESULT OF PUBLIC COMMENT WILL BE LIMITED TO DIRECTING STAFF TO STUDY THE MATTER OR RESCHEDULING THE MATTER FOR FURTHER CONSIDERATION AND DECISION AT A LATER DATE.

H: BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING

1. PRESENTATION - CENTRAL AZ ASSOCIATION OF GOVERNMENTS
2. DISCUSSION OF PROPOSED CURB CUT REMOVAL ON US 60 HIGHWAY SIDEWALK AND LANDSCAPE PROJECT
3. PUBLIC HEARING ON PROPOSED FISCAL YEAR BUDGET AND PROPERTY TAX LEVY
4. RESOLUTION #289 - ADOPTION OF BUDGET FOR FISCAL YEAR 1997-98
5. AUTHORIZATION TO AMEND RESOLUTION #152 TOWN OF SUPERIOR PERSONNEL POLICY TO ADD VETERAN'S DAY AS A TOWN HOLIDAY
6. AUTHORIZATION TO ENTER INTO CONTRACT WITH JONES, STOKES & ASSOCIATES FOR PROFESSIONAL SERVICES RELATED TO THE DEVELOPEMENT OF QUEEN CREEK
7. REVIEW OF PROPOSED STREETLIGHT PURCHASE
8. AUTHORIZATION TO SUBMIT COMMUNICATION LETTER CHANGE TO AZ DEPT OF COMMERCE TO ALLOW TOWN STAFF TO PROVIDE DEMOLITION SERVICES RELATED TO COMMUNITY DEVELOPMENT BLOCK GRANT #113-97
- * 9. APPROVAL OF INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF AZ FOR ECONOMIC STRENGTH PROJECT GRANT OF \$122,102 TO CONSTRUCT A ROAD INTO THE PROPOSED SUPERIOR INDUSTRIAL PARK
10. CALL FOR SPECIAL MEETING AUGUST 14, 1997

I: EXECUTIVE SESSION: COUNCIL MAY OR MAY NOT VOTE TO GO INTO EXECUTIVE SESSION PURSUANT TO ARS 38-431.03

J: IN PUBLIC SESSION: DISCUSSION AND ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION ON LEGAL ADVISE WITH ATTORNEY

(A-5) ADVISE WITH ATTORNEY

K: COUNCIL COMMENTS: GENERAL OBSERVATION ON TOWN OPERATIONS, COMMUNITY ACTIVITIES, AND/OR SUGGESTIONS FOR FUTURE AGENDA ITEMS

L: ADJOURNMENT:

HANDICAPPED INDIVIDUALS WITH SPECIAL ACCESSIBILITY NEEDS MAY CONTACT THE TOWN MANAGER, ADA COORDINATOR FOR THE TOWN OF SUPERIOR, AT 520-689-5752 OR 800-567-8938 TDD RELAY IF POSSIBLE SUCH REQUESTS SHOULD BE MADE 72 HOURS IN ADVANCE.

John X. [Signature]
TOWN CLERK

8/6/97 8:30 A.M.
DATE AND TIME POSTED

It was moved by Mr. Ruiz, seconded by Mrs. Ewing to authorize the Mayor to execute agreement #KR97 1126TRN with the State of Arizona which outlines conditions related to a grant in the amount of \$122,102, from the Economic Strength Projects program.
UNANIMOUS.

10. CALL FOR SPECIAL MEETING AUGUST 14, 1997.

The Town Manager said this meeting was necessary to hold a public hearing on the Truth in Taxation Notice, review employment contracts and hear requests for use of Town Facilities.

It was moved by Mrs. Ewing, seconded by Mr. Munoz to approve August 14, 1997 to hold a special meeting of the Town Council. **UNANIMOUS.**

I: EXECUTIVE SESSION: None.

J: IN PUBLIC SESSION:

K: COUNCIL COMMENTS: General Observation on town operations, Community activities, and/or suggestions for future agenda items.

Councilman Munoz said that he was glad to see the development project all coming together. It looks like a turning point for the Town and it's about time.

Councilwoman Gomez said that everything was moving forward for the community and was also glad to see it.

Councilwoman Ewing said that the future was getting here, but would still like to see something done for the sign on Magma Avenue.

Mayor Chavez thanked the staff and the schools for the youth recreation golf tournaments that took place about 200 kids participated. Said that there were other recreation programs being done like the library, swimming pool, and the opening of the co-ed softball program would soon start. School starts August 18th.

M: ADJOURNMENT: It was moved by Mr. Ruiz, seconded by Mrs. Ewing to adjourn.
UNANIMOUS.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular/special meeting of the Town Council of the Town of Superior held on the ____ day of _____. I further certify that the meeting was duly called and held and that a quorum was present. Dated this day of _____.

Mellie P. Bribiescas, Town Clerk

APPROVAL OF THE SUPERIOR TOWN ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION and the TOWN OF SUPERIOR and declare this agreement to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona.

DATED this 14th day of August, 1997.

Walter Liff

Town Attorney

**ECONOMIC STRENGTH PROJECTS
REQUEST FOR PROPOSAL
FY 1997 - ROUND 2
March 14, 1997**

APPLICATION FORM

NOTE: Additional information may be provided in attachments. Be sure to clearly reference and mark such additions and attachments.

1. NAME, ADDRESS, AND COUNTY OF APPLICANT(S):

Town of Superior
734 Main Street
Superior, Arizona 85273
Pinal County

2. TYPE OF ORGANIZATION OF APPLICANT: (Check One)

- a) X Local Government Only
b) Private Non Profit/Local Government Joint Application

Name of Non Profit Agency Involved

Name of Local Government Involved

Town of Superior, Arizona

3. Describe the function or purpose of applicant organization.

The Town of Superior is a municipal government which was incorporated in 1976 and presently maintains a council-manager form of government. The Town of Superior contains a seven member council which consists of a mayor and six council members.

4. Name, address, and phone number of contact person:

Mr. Chris Zapata, Town Manager
Town of Superior
734 Main Street
Superior, Arizona 85273

5. Describe the private sector project or activity for which the related ESP funding is requested.

With the submittal of this application to the Arizona Department of Commerce, Strategic

Finance Division, the Town of Superior is requesting \$122,102 in financial assistance to be utilized toward the construction of a 1,120 foot roadway from United States Highway 60 into the future site of the Superior Industrial Park (See Exhibits B-1 through B-3). This application submittal involves a roadway project which will be maintained by the municipal government of the Town of Superior, Arizona, and will not be under the direct control or ownership of a private entity of any sort.

However, the proposed roadway will provide access from United States Highway 60 to the private businesses that will be located within the Superior Industrial Park facility. The Superior industrial Park will include 8 fully improved industrial parcels ready for immediate occupancy. As of March 1997, the Town of Superior has negotiated with 2 companies that are committed to commencing business operations within the park upon completion of construction, and has also taken additional measures to adequately market the facility in an effort to ensure full occupancy within the first two years of operation.

- 6. Describe the Economic Strength Project for which funding is requested. Describe how the ESP project supports/relates to the private sector project described in #5 above.**

The requested funding in the amount of \$122,102 for the construction of a 1,120 foot roadway is part of a larger project which entails the acquisition of land, and subsequent construction of an industrial park facility. The overall, proposed Industrial Park facility (including roadway) is expected to cost approximately \$918,000, and will be developed upon a 46 acre site that is currently situated adjacent to the northwestern boundary of the Town of Superior. The entire industrial park project will include acquisition of the property; complete site grading; the extension of water, sewer, gas, telecommunication and electrical infrastructure; drainage improvements; the development of an access road; and additional improvements which are necessary in order to develop a fully accessible park ready for immediate occupancy. The Town of Superior will purchase the present site from Broken Hill Proprietorship (BHP) Copper Company, and will annex the northern section of the 46 acre property upon sale of the land.

- 7. Describe how the private sector project fits into the community's overall economic development efforts.**

The Town of Superior, which is located approximately 63 miles east of the City of Phoenix within northeastern Pinal County, has recently experienced a mine closure that has resulted in the immediate and permanent loss of 280 jobs from the local economy. During May of 1996 the Magma Copper Company depleted all of their local mineral reserves at the Superior Mine site, officially ceased operations, and sold the existing site to BHP Copper Company for full closure purposes. The dislocation of these jobs has placed the Town of Superior into a crisis situation, and the community is in immediate danger of losing much of its available labor force and existing population base through out-migration. In addition, the multiplier effect that is associated with the loss of 280 jobs will ultimately transcend the local economy, thus leading to the loss of existing merchants and businesses, higher unemployment, a devaluated housing market, and an immediate decline in local tax revenues.

Aside from the recent mine closing and the loss of 280 jobs, the Town of Superior has also been confronted with several other factors which indicate a high level of community

economic distress. As displayed upon Exhibit A-4, located at the back of the text, data from the 1990 U.S. Census indicates that the median per capita income for residents within the community was \$7,236, which is an alarming 50.6 percent of the national average of \$14,420. In addition to per capita income, the average median household income in 1990 was \$16,118, which is only 53.6 percent of the national average of \$30,056. Also, according to data from the 1990 U.S. Census, 24 percent of all residents within the Town of Superior contained annual incomes that were below the federally established poverty line. Based upon this particular census statistic, approximately 832 people out of the total community population of 3,468 in 1990 were living in poverty. The majority of this poverty has been experienced within the community's sizeable Hispanic population, which in 1990 represented 70.1 percent (2,432 people) of the town's total population.

Given the Town of Superior's past experience with their reliance upon the local mining industry, the community has realized that it must act quickly in an effort to restore employment opportunities to the local populace, and to ensure an overall level of economic stability. In an effort to avoid another long-term period of economic decline, the Town of Superior has determined that the only feasible approach whereby future jobs can be retained at this time is through the development of a community industrial park facility, which could potentially employ several hundred people in the next three to five years.

In response to the recent economic crisis, the Town of Superior, in affiliation with the Central Arizona Association of Government's (CAAG) Economic Development District (EDD), has worked expediently to develop a comprehensive Economic Adjustment Strategy for the community which was submitted to the U.S. Department of Commerce, Economic Development Administration. This Economic Adjustment Strategy is attached to the back of this ESP narrative as *Exhibit C*. As a result of the Economic Adjustment Strategy, the Town of Superior has submitted an additional application for federal assistance to the Economic Development Administration requesting \$550,800 (60% of total project costs/See Exhibit C) to complete the overall facility.

Through a careful analysis of various options, the town has decided to work toward the development of an industrial park facility which would immediately restore local employment opportunities to the citizens of Superior. Over the past six months, the town staff of Superior has been in close contact with several companies within the immediate region that have expressed a serious interest in commencing business operations within the community. If in fact an industrial facility were constructed within the Town of Superior, such a facility would accommodate the needs of these particular companies, thus enhancing the town's ability to attract jobs into the municipality. The creation of an industrial park will begin a process of job recovery; and based upon town staff's discussions with several business leaders, would generate anywhere from 40 to 75 immediate new jobs in the first year (See Exhibits D-1 and D-2).

From a regional perspective, the Town of Superior is in a favorable position to capitalize on growth and development over the next five to ten years, and the creation of an industrial park facility would sustain Superior's ability to attract industries. The Town of Superior is located upon United States (US) Highway 60, approximately 63 miles east of the City of Phoenix (1996 Population of 1,180,740), and 32 miles east of the City of Mesa, Arizona (1996 population of 343,710). Population growth within the Greater Phoenix Metropolitan Region has been rapidly expanding to the east along the US Highway 60 corridor, which has affected the City of Mesa and the City of Apache Junction, which is located in Pinal County,

approximately 29 miles to the west of Superior. Aside from the rapid population growth, there have been many newer residential developments that have recently been constructed in an area of northern Pinal County, in between Florence Junction and the City of Apache Junction (See Exhibit A-2). This development is expected to increase significantly after 1997, primarily due to the fact that it was announced several months ago that a major Hollywood Movie Studio facility will be constructed approximately 19 miles to the west of the Town of Superior. This facility is expected to generate hundreds of jobs, and is certainly expected to generate additional commercial and residential development along the US 60 corridor. Because of this growth and development in northern Pinal County, it is anticipated that the Town of Superior's ability to attract industry into the proposed municipal industrial facility will be greatly enhanced.

In addition to these factors, there are four active mining operations that are located within a thirty mile radius of the Town of Superior. These mining sites are fully-operational, and are located to the east of the Town of Superior within southern Gila County along US 60, and to the south of Superior in eastern Pinal County, along Arizona State Routes 77 and 177 (See Exhibit A-2). The areas of southern Gila and eastern Pinal Counties presently do not contain an industrial park facility. The construction of such a facility within the Town of Superior would offer a centralized location for businesses within this particular region of central Arizona, and would certainly provide the town with additional job creation opportunities in the immediate future.

The Town of Superior is a member entity of the Central Arizona Association of Government's (CAAG) Economic Development District (EDD). The development of a community industrial park facility has been identified as a District priority need within the 1996 CAAG EDD Overall Economic Development Program (OEDP) planning document, and has now become a major project concern for the Town of Superior. The proposed Industrial Park Feasibility Study for the Town of Superior is consistent with the CAAG EDD's project priorities, and will help to alleviate the economic stress factors affiliated with the recent worker dislocation experienced by the town. In addition, the Town of Superior has recently addressed the issue of updating the community's master plan document which was originally adopted in 1987. It is anticipated that any relevant findings brought about by this project will be appropriately addressed within the future master plan update, in an effort to properly guide and coordinate future growth and development.

8. Describe how the supporting ESP project fits into the community's overall economic development efforts.

The construction of Superior's Industrial Park roadway will allow for ingress and egress from US 60 to the industrial park parcels which will contain private businesses. The overall construction cost for the project will be \$135,669. The municipality is requesting \$122,102 (90 percent) from ESP, and will contribute the remaining \$13,567 (10 percent) in local matching funds. As discussed in detail (see #7), the roadway will provide access to the Superior Industrial Park facility, which is expected to tremendously benefit the local economy of the Town of Superior by creating new quality jobs that have been lost as the result of the recent mine closure. Aside from the two mining related businesses which have committed to occupying the facility, the future industrial park also allows for the Town of Superior to diversify its local economic base by actively marketing and attracting non-mining related businesses to occupy the existing parcels that are presently available.

Once operational, the facility is also expected to significantly expand the municipal tax base and improve the overall quality of life for the local populace. The Superior Industrial Park facility is an integral part of recent economic development policy and development efforts that have been overwhelmingly embraced by the municipal government and the community.

Construction of the industrial park entrance roadway will entail a commercial width roadway containing curbs and gutters, stormwater drainage improvements, water lines for domestic and fire protection purposes, sewer lines, and acceleration and deceleration lanes to accommodate an efficient flow of vehicular transportation. However, this ESP submittal is primarily concerned with the actual construction of the roadway which will provide access to the Superior Industrial Park facility.

The length of the roadway will be approximately 1,120 feet, and will contain a uniform width of 44 feet. At the end of the industrial access road there will be a cul-de-sac containing a 50 foot radius to accommodate larger vehicles. The roadway will contain a 6-inch vertical curb with driveways along both sides of the road, and the structural section of the road will consist of 3 inches of asphalt on 6 inches of aggregate base course placed upon compacted subgrade. This design section will handle an axle loading of 18 kips, which is the normal maximum highway design load. All surface runoff will be carried in the gutters and discharged into the north ditch which is adjacent to US Highway 60. From that point, the surface runoff will flow underneath the road through an existing culvert and down the drainage way to Queen Creek.

A considerable amount of excavation and embankment work will be required in order to construct the roadbed. For calculation purposes, it is assumed that 50 percent of the industrial park roadway will be situated within a fill section, whereas the remaining road segment will be situated in a cut section. Utilizing a roadway of 1,150 feet in length and 44 feet wide, with a fill of approximately 2 feet, it is anticipated that the roadway will require an excavation/embankment quantity of 4,150 cubic yards. No additional fill for the project will have to be imported or exported. It is assumed that the majority of dirt can be removed upon the existing site with the utilization of conventional equipment, and that no drilling or blasting of existing rock would be required. The estimated construction costs affiliated with this ESP submittal are as follows:

ESTIMATED SUPERIOR ROAD CONSTRUCTION COSTS					
1	Clear and Grub	ACRE	1.5	\$ 300.00	\$ 450.00
2	Excavation/Embankment	CY	4,150	\$ 3.00	\$ 12,450.00
3	Subgrade Preparation	SY	5,700	\$ 1.25	\$ 7,125.00
4	ABC - 6"	SY	5,700	\$ 4.00	\$ 22,800.00
5	Asphalt - 3"	Ton	880	\$ 42.00	\$ 36,960.00
6	Curb and Gutter	LF	2,355	\$ 10.00	\$ 23,550.00
7	Accel/Decel Lanes	EA	2	\$ 16,167.00	\$ 32,334.00
	TOTAL COST	—	—	—	\$ 135,669.00

With the formal submittal of this application, the Superior Industrial Park roadway and the overall Industrial Park facility would include an integrated effort between the Town of Superior; the U.S. Department of Commerce, Economic Development Administration; and the Arizona Department of Commerce, Strategic Finance Division. At present, the project is structured in the following manner: the U.S. Department of Commerce, Economic Development Administration, would provide 60 percent, or approximately \$550,818; whereas the Town of Superior would provide 40 percent, or approximately \$367,210 in local funding. However, if the Town of Superior can obtain ESP funding through the Arizona Department of Commerce, Strategic Finance Division for the amount for the roadway, it would further alleviate the community's financial burden in a time of severe economic distress. As proposed within this submittal, the overall project would be as follows:

ACTIVITY	EDA	ARIZONA DEPARTMENT OF COMMERCE	TOWN OF SUPERIOR	TOTAL
Administration	\$16,393		\$ 10,928	\$ 27,321
Land Acquisition	\$82,800		\$ 55,200	\$138,000
Industrial Park Preparation and Const. (Including Infrastructure/ENG/CM/Legal)	\$370,224		\$246,814	\$617,038
Industrial Park Roadway		\$122,102	\$ 13,567	\$135,669
TOTAL PROJECT COSTS	\$469,417	\$122,102	\$326,509	\$918,028

9. How will ongoing maintenance and repair be provided for the ESP project after construction/improvement?

After construction, the Town of Superior will assume full responsibility for all required maintenance and necessary periodic repair for the ESP roadway project.

10. Description of the ESP project. (Check one)

- a) ☐ This is an existing roadway.
- b) ☒ This is a new roadway.
- c) ☐ This is a bridge.
- d) ☐ This is an underpass.
- e) ☐ Other _____

11. Where is the private sector project located that is supported by this ESP project.

As displayed upon Exhibits B-1 through B-3, the future Superior Industrial Park is situated north of United States Highway 60, within section 4 of Township 2 South, Range 12 East. The initial phase of the park will contain 46 acres, and the Town of Superior has secured two

commitments from companies which will occupy 2 of the existing industrial properties. Together, the committed businesses will occupy a total area of approximately 26 acres of land.

12. Where is the ESP project located? (Note: Attach site map(s) to the application.)

As displayed upon Exhibits B-1 through B-3, the industrial park roadway will be constructed from US Highway 60, and travel north approximately 1,120 linear feet into the proposed facility. The road will provide immediate access to 7 of the park's industrial properties.

13. What is the length (in feet/miles) of the ESP project?

Approximately 1,120 linear feet.

14. What is the width (in feet) of the ESP project?

Approximately 44 feet.

In the jobs section below (Q15 - Q17), applicants must provide employment- and wage-related information for the private sector employers (existing or new) which the ESP fund is supporting. If these projects do not generate certain categories of jobs (job creation, job retention or seasonal jobs), those sections should be left blank.

15. JOB CREATION

a. Construction Phase

Does your project create any public or private construction jobs?

Yes X
No

If yes, complete the following; otherwise go back to Q15.b.

- | | |
|---|------------------------------|
| (1) Number of construction jobs directly created by the private sector. | <u>Unknown at this time)</u> |
| Number of days or months the construction jobs would last? | <u> </u> |
| Average Hourly Wages | <u> </u> |
| (2) Number of construction jobs directly related to the public sector? | <u>10</u> |
| Average number of days or months the construction jobs would last? | <u>0-90 Days</u> |
| Average hourly wages | <u>\$15.00 HR</u> |

Note: List and provide the above information for each employer included in or supported by your ESP application.

b. Operation Phase

- | | | |
|---|---|-------------------|
| Mineral Development, Inc. | | |
| (1) | Number of full-time permanent direct jobs created | <u>20*</u> |
| | Average hourly wages | <u>\$7.60 HR</u> |
|
(2) Number of part-time permanent direct jobs created | | <u>Unknown</u> |
| | Average number of hours per week | <u> </u> |
| | */Includes 5 relocating employees | |
|
 | | |
| Mining & Development Company of the Southwest | | |
| (1) | Number of full-time permanent direct jobs created | <u>20</u> |
| | Average hourly wages | <u>\$15.00 HR</u> |
|
(2) Number of part-time permanent direct jobs created | | <u>Unknown</u> |
| | Average number of hours per week | <u> </u> |

Note: List and provide the above information for each employer included in or supported by your ESP application.

16. JOB RETENTION

(*/Not available at this time)

- | | | |
|------|--|---------------------|
| a. | Number of full-time permanent direct jobs retained | <u> </u> |
| | Average hourly wages | <u>\$ </u> |
|
 | | |
| b. | Number of part-time permanent direct jobs retained | <u> </u> |
| | Average number of hours per week | <u> </u> |
| | Average hourly wages | <u> </u> |
|
 | | |
| c. | How would the lack of the ESP project cause, or contribute to, the loss of those directly effected jobs? | |

Note: List and provide the above information for each employer included in or supported by your ESP application.

17. SEASONAL JOBS

(*/Not available at this time)

If seasonal jobs are a significant part of the operation of private businesses for which you have applied for ESP, complete the following. Otherwise, go to question 18.

- | | | |
|------|----------------------------------|---------------------|
| a. | Number of seasonal jobs retained | <u> </u> |
| | Average number of days per year | <u> </u> |
|
 | | |
| | Average hourly wages | <u>\$ </u> |
| b. | Number of seasonal jobs retained | <u> </u> |
| | Average number of days per year | <u> </u> |

Average hourly wages _____

c. Further Clarifications

- (1). Are the seasonal jobs created or retained for one year, or would they be occurring on an ongoing basis year after year? _____

Note: List and provide the above information for each employer included in or supported by your ESP application.

18. Capital Investment

- a) What kind of new, additional capital investment will be made by the private sector business or industry assisted by this ESP project? (Building, equipment, etc. at this site).

The construction of buildings and facilities that are necessary in order to initiate business operations within the community.

- b) What is the purpose and dollar value of the new, additional capital investment that will be made by the private sector business or industry assisted by this ESP project?

\$ 3,200,000 for The construction of buildings and facilities
\$ _____ for _____
\$ _____ for _____
\$ _____ for _____
\$ 3,200,000 Total

19. Cost/Benefit Calculation

What is the likelihood that benefit resulting from the project will exceed the costs of the project? Show detail of cost/benefit analysis used to determine the net benefits of this project. Note: Included in this analysis should be the projected annual taxes (real and property) to be generated by the planned retail stores and other businesses being assisted and the taxes (state and local) to be paid by the workers who will be employed by these businesses.

	1997	1998	1999	2000
Total Project Cost	\$135,669	—	—	—
Private Capital Investment	—	\$3,200,000	—	—
Property Tax Returns*	—	\$111,600	\$111,600	\$111,600
Overall Cost Benefit	(\$135,669)	(\$ 24,069)	\$ 87,531	\$199,131

*/Based upon information provided by Pinal County Assessors Office, and the local tax rate of .18 cents per \$1.00

The table above displays that the benefits received in property tax collections within the Town of Superior will far exceed the initial ESP project investment of \$135,669. The Town of Superior will also benefit from the number of local employees that live in the community and that purchase local properties, or contribute to the tax base through local purchases. The generation of 40 to 75 new jobs within the first year, and the employment of several hundred individuals over a 2 to 5 year period will provide a higher circulation of dollars flowing into the community, and certainly improve the local municipality's overall tax base.

20. **What community(ies) will benefit from this project? How will each listed community benefit?**

The Town of Superior, Arizona. The project will benefit the local municipality by creating immediate employment opportunities, assisting in economic recovery, providing economic stability and enhancing the overall tax base of the community.

21. **List the names of local economic development organizations, and a contact person for each, which are involved in the private sector project. Attach documentation (letters of support, etc.) showing the involvement and level of support of each organization.**

Central Arizona Association of Governments
Maxine Leather, Executive Director

22. **What is the total cost of the entire project?** \$ 918,028

23. **What is the total cost of the ESP portion of the project?** \$135,669

24. **Complete and attach the Budget Detail Schedule (Attachment A).**

25. **Complete and attach the Sources and Uses Schedule (Attachment B).**

26. **Of the total ESP project cost listed in #23 above, how much financial assistance are you requesting from the Economic Strengths Project Fund?** \$ 122,102

27. **List the sources and amounts of matching funds (both private and public) that will be a part of the total direct ESP project cost.**

a)

(1) Name of public entity contributing the match.

Amount

Town of Superior, Arizona

\$ 13,567.00

\$

Total

~~\$ 13,567.00~~

(2) Cash match contributed to the project.
- Source (general fund, grants, HURF, etc.)

Amount

HURF

\$ 13,567.00

\$

Total

\$ 13,567.00

(3) In-kind match contributed to the project.
- Type of Match (force account labor, construction management, materials, etc.)

Amount

\$ 0.00

\$

Total

\$ 0.00

b)

Name of Private Sector company(ies) contributing matching funds to the ESP project, (if any)

Amount

\$

\$

Total

\$

28. Local utility or other infrastructure expenditures:

iii)

34. Is the project located in X disadvantaged area of the state?
X rural area of the state?
X Enterprise Zone area of state?

35. Has this applying entity ever received any previous ESP grant funds?

No X Yes _____ Date Received: _____

Amount Received: \$ 0.00

(List if more than one.)

**IMPORTANT!! UP DATE PERMANENT JOBS, DIRECTLY
CREATED AND/OR RETAINED, FOR EACH GRANT LISTED.**

36. Certification:

I certify that this project is compatible with other transportation facilities and conforms to all applicable construction and engineering standards.

NAME: Mr. Manuel Ruiz DATE: March 13, 1997

TITLE: Mayor

SIGNATURE: 

NAME OF CONTACT PERSON: Mr. Chris Zapata

TELEPHONE NUMBER: (520) 689-5752

ATTACHMENT A BUDGET DETAIL SCHEDULE

Note: No contingency costs should be included in the Grand Total of project costs.

ACTIVITY	LABOR OR UNIT PRICE	MATERIALS OR NUMBER OF UNITS	TOTAL CONSTRUCTION COSTS	ARCHITECTURAL/ ENGINEERING COSTS	TOTAL ACTIVITY COSTS	PROJECTED ANNUAL OPERATIONS & MAINTENANCE COSTS
Clear and Grub	\$ 300.00	1.5	\$ 450.00		\$ 450.00	
Excavation/Embankment	3.00	4,150.0	12,450.00		12,450.00	
Subgrade Preparation	1.25	5,700.0	7,125.00		7,125.00	
ABC - 6"	4.00	5,700.0	22,800.00		22,800.00	
Asphalt - 3"	42.00	880.0	36,960.00		36,960.00	
Curb and Gutter	10.00	2,355.0	23,550.00		23,550.00	
Accel/Decel Lanes	16,187.00	2.0	32,334.00		32,334.00	
Grand Totals			\$135,669.00		\$135,669.00	

*Should match Item 23 in the Application and the total of Items 11 C, & D.(1) & (2) in Sources of Funds (Attachment B)

John H. Chavaz
Signature of Registered Professional - #30885 AZ.

ATTACHMENT B

SOURCES AND USES STATEMENT

I. USES:

A. Private Sector Related

1.	Acquisition of Existing Building with land	\$ _____
2.	Site Acquisition (vacant land)	\$ _____
3.	New building construction	\$ 3,200,000.00
4.	Remodeling	\$ _____
5.	Machinery and Equipment	\$ _____
6.	Site preparation	\$ _____
7.	Other <u>Industrial Park Design and Construction *</u>	\$ 782,359.00
	Sub Total	\$ 3,982,359.00

B. Public Sector Related *To be funded by EDA and the Town of Superior

1.	Total ESP project improvements (Grand Total of Total Activity Costs in Attachment A and Item 23 in the Application)	\$ 135,669.00
2.	Local public sector improvements (Infrastructure improvements directly related to the project and located on or contiguous to the project site. Do not include ESP related costs here)	_____
	_____	\$ _____
3.	Other _____	\$ _____

C. Total Uses

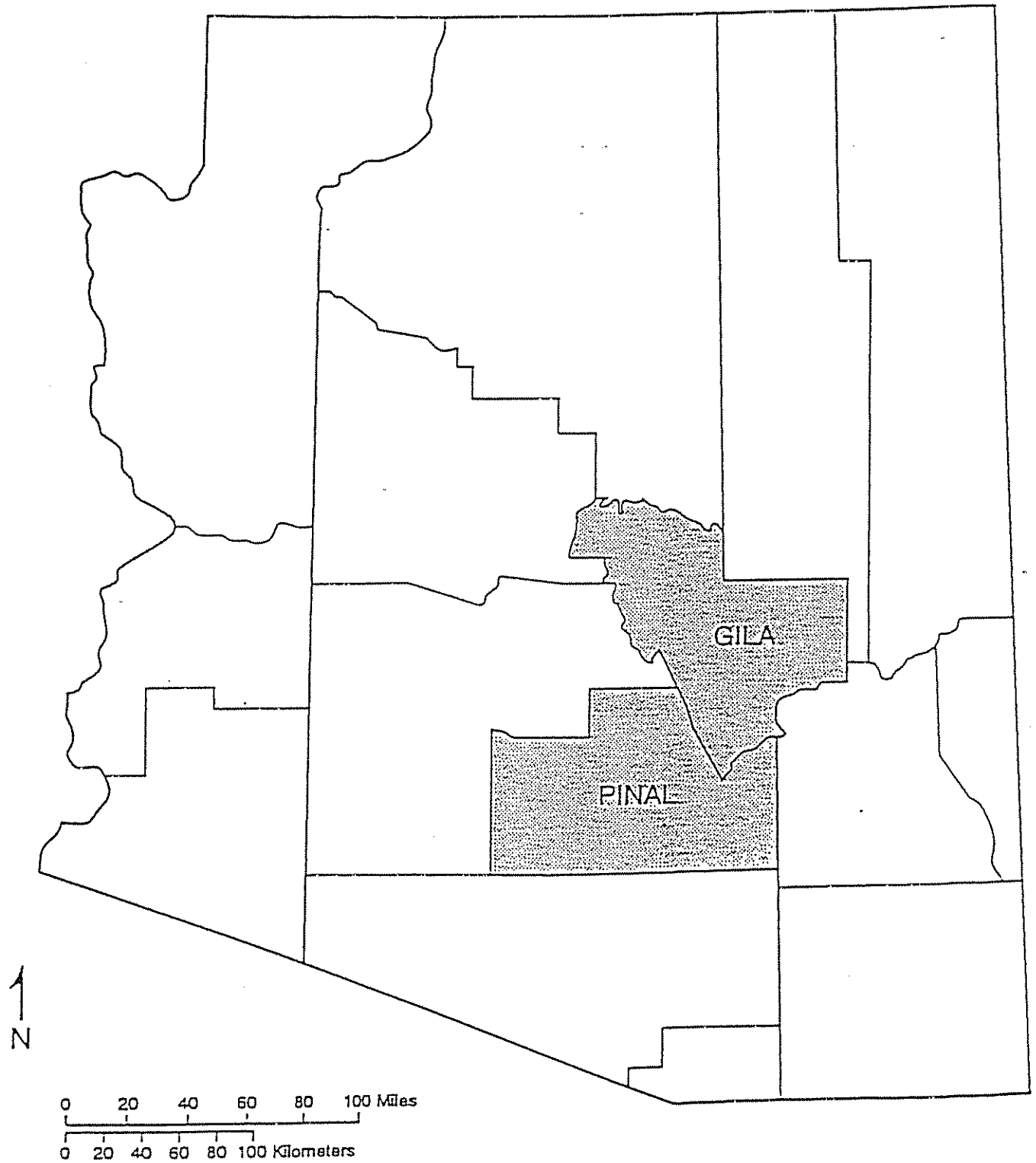
\$ 4,118,028.00 *

II. SOURCES:

A.	Private sector project investment ((Item 18 b) Total))	\$ 3,982,359.00
B.	Local public sector (direct project related)	\$ _____
C.	Economic Strength Projects Fund (State funds) (Item 26)	\$ 122,102.00
D.	ESP match	
	(2) From the public sector ((Items 27 a)(1)(2) &(3))	\$ 13,567.00
	(1) From the private sector ((Item 27 b))	\$ _____
E.	Other _____	\$ _____
F.	Total Sources	\$ 4,118,028.00 *

* Total Uses (I.C.) must equal Total Sources (II.F.)

The CAAG District



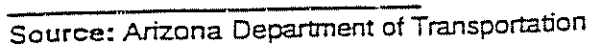


Exhibit A-3

POPULATION TRENDS 1970-1990				
YEAR	TOWN OF SUPERIOR	PINAL COUNTY	CAAG DISTRICT	STATE OF ARIZONA
1970	4,975	67,916	97,171	1,775,399
1980	4,600	90,918	127,998	2,716,546
% CHANGE 1970-1980	-7.5	33.9	31.7	53.0
1990	3,468	116,379	156,595	3,665,228
% CHANGE 1980-1990	-24.6	28.0	22.3	34.9
POPULATION ESTIMATES 1991-1995				
1991	3,470	119,650	160,700	3,767,000
1992	3,480	122,600	164,300	3,858,850
1993	3,481	127,214	169,606	3,958,850
1994	3,485	132,225	175,575	4,071,650
1995	3,485	139,050	183,125	4,228,900
% CHANGE 1990-1995	0.5	19.5	16.9	15.4

SOURCE: United States Census Bureau, Arizona Department of Economic Security, Population Statistics Unit

Exhibit A-4

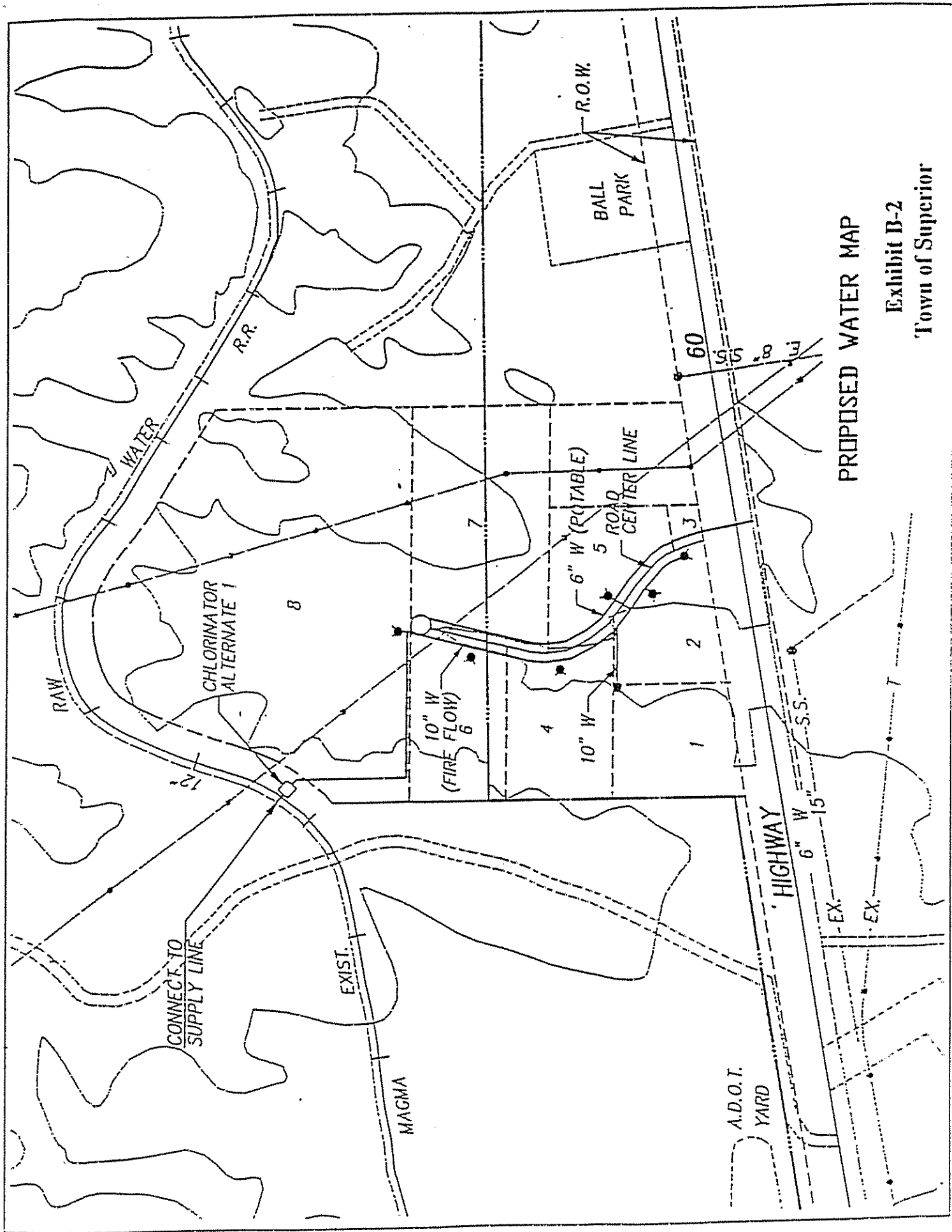
TOWN OF SUPERIOR CHARACTERISTICS OF INCOME					
	1980	Town as a % of County, State, and National Averages	1990	Town as a % of County, State, and National Averages	% CHANGE IN INCOME 1980-1990
MEDIAN PER CAPITA INCOME					
SUPERIOR	\$5,618	—	\$7,236	—	28.8
PINAL COUNTY	5,313	106.0	9,228	78.4	73.7
STATE OF ARIZONA	7,041	79.8	13,461	53.8	91.2
UNITED STATES	7,298	77.0	14,420	50.6	97.6
MEDIAN HOUSEHOLD INCOME					
SUPERIOR	\$18,340	—	\$16,118	—	-12.1
PINAL COUNTY	14,478	126.7	21,301	75.7	47.1
STATE OF ARIZONA	16,448	111.5	27,540	58.5	67.4
UNITED STATES	16,841	108.9	30,056	53.6	78.5
% OF TOTAL POPULATION WITH INCOMES BELOW POVERTY LEVEL (EXPRESSED IN DIFFERENCE OF POINTS AND OVERALL PERCENTAGE)					
SUPERIOR	10.2	---	24.0	—	135.3
PINAL COUNTY	22.3	-12.1	23.6	+0.4	5.8
STATE OF ARIZONA	13.1	-2.9	15.7	+8.3	19.9
UNITED STATES	12.1	-1.9	12.8	+11.2	5.8

SOURCE: United States Census Bureau

Exhibit A-5

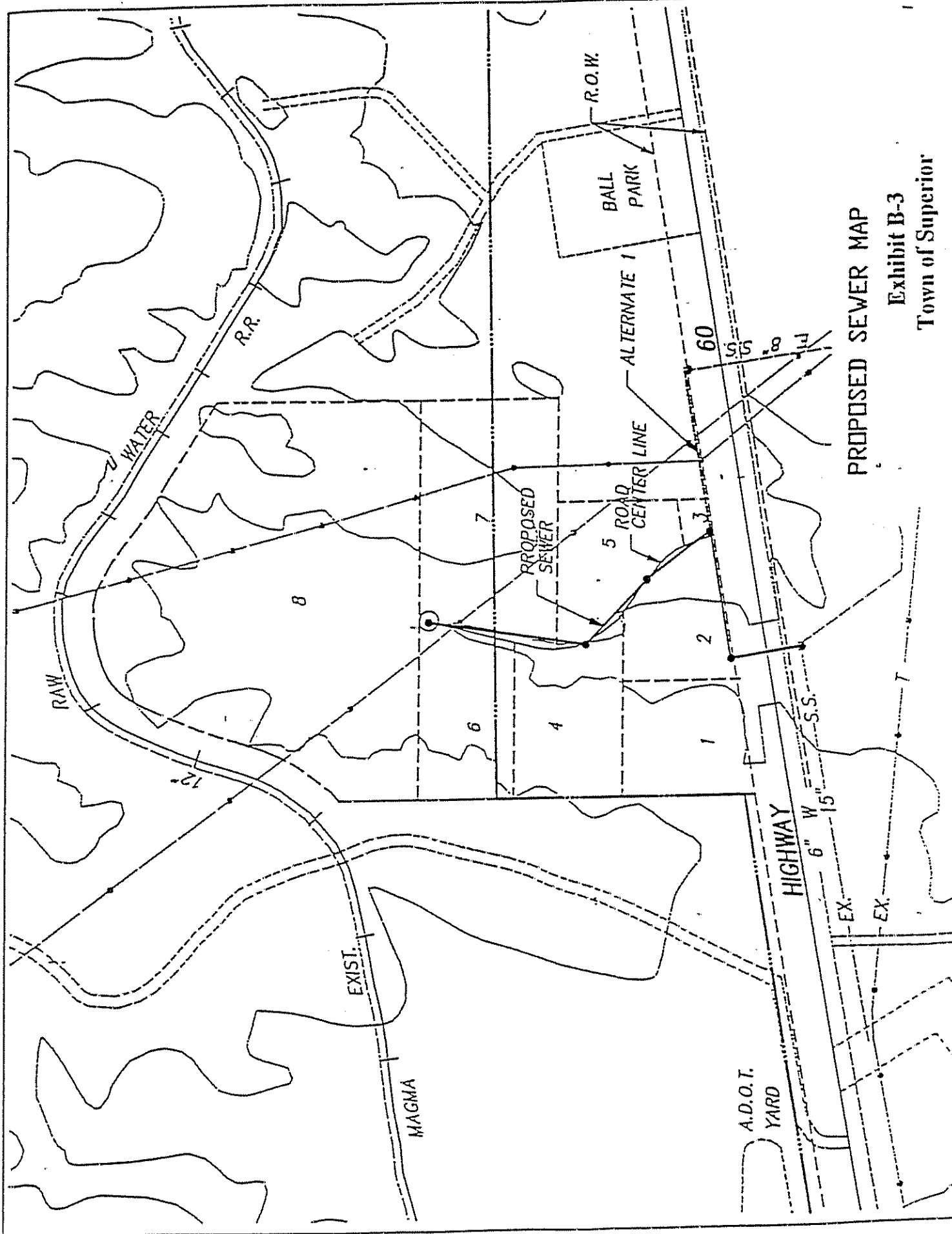
TOWN OF SUPERIOR LABOR FORCE AND EMPLOYMENT 1990-1994						
	1990	1991	1992	1993	1994	% CHANGE 1990-1994
TOTAL CIVILIAN LABOR FORCE	1,069	1,069	1,092	1,089	1,177	10.1
TOTAL UNEMPLOYMENT	114	82	109	83	81	-28.9
UNEMPLOYMENT RATE	10.7%	7.7%	10.0%	7.6%	6.9%	(-3.8)
TOTAL EMPLOYMENT	955	987	983	1,006	1,096	14.8
LABOR FORCE AS A % OF PINAL COUNTY	2.4%	2.4%	2.4%	2.4%	2.4%	(0.0)

SOURCE: United States Census Bureau; Arizona Department of Economic Security, Population Statistics Unit/Research Administration



PROPOSED WATER MAP

Exhibit B-2
Town of Superior



PROPOSED SEWER MAP

Exhibit B-3

Town of Superior



GRANT WOODS
ATTORNEY GENERAL

STATE OF ARIZONA
OFFICE OF THE ATTORNEY GENERAL
1275 WEST WASHINGTON, PHOENIX 85007-2926

TRN Main: (602) 542-1680
Direct: (602) 542-8837
Fax: (602) 542-3646
MAIN PHONE : 542-5025
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR97-1126TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED September 10, 1997.

GRANT WOODS
Attorney General

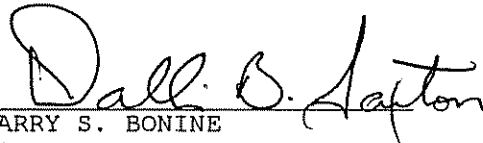
A handwritten signature in black ink, reading "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

RESOLUTION

BE IT RESOLVED on this 30th day of May 1997, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the Town of Superior for the purpose of defining responsibilities for conveying Economic Strength Development funds to the City.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Director of Transportation Planning for approval and execution.


for LARRY S. BONINE
Director